Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

No. 80-250

IN THE

Supreme Court of the United States

October Term, 1980

VIRGINIA CRAMER, PETITIONER-DEFENDANT IN WRONGFUL FORECLOSURE ACTION,
Petitioner,

vs.

METROPOLITAN FEDERAL SAVINGS AND LOAN ASSOCIATION, a/k/a METROPOLITAN SAVINGS ASSOCIATION, JAMES I. McCLINTOCK, ROGER C. RICHARDS and JOHN C. DENYER, Jointly, Severally and Individually, PLAINTIFFS IN WRONGFUL FORECLOSURE ACTION; McCLINTOCK DONOVAN CARSON & ROACH and JAMES McCLINTOCK, MICHAEL DOELLE and WILLIAM P. THORPE, ATTORNEYS AT LAW, Jointly, Severally, and Individually; ABEL SELBURN, ALLEN COUNARD and WILLIAM R. McFADDEN, ATTORNEYS AT LAW, Jointly, Severally and Individually; FEDERAL HOME LOAN BANK BOARD, DIRECTOR AND/OR OFFICIAL AND/OR OFFICER IN CHARGE; MICHIGAN SUPREME COURT MEMBERS, JUSTICES MARY S. COLEMAN, THOMAS GILES KAVANAGH, CHARLES L. LEVIN, JOHN W. FITZGERALD, JAMES L. RYAN, BLAIR MOODY, JR., and G. MENNEN WILLIAMS, Jointly, Severally and Individually,
Respondents.

MEMORANDUM OPPOSING CERTIORARI

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As to the respondents Metropolitan Savings and Loan Association a/k/a Metropolitan Savings Association, James I. McClintock, Roger C. Richards, and John C. Denyer, jointly and severally and individually, McClintock Donovan Carson & Roach, James I. McClintock, Michael Doelle, William P. Thorpe, attorneys at law, jointly, severally, and individually this matter is res judicata.

As the Petitioner, Virginia Cramer, sets forth in great detail in her petition the exact same questions have been under litigation since she initially filed suit on August 12, 1968. The case proceeded through the various Michigan Courts and respondents position was sustained by the Michigan Supreme Court and this Court by refusal to grant certiorari in *Cramer* v *Metropolitan Savings and Loan Association*, 401 Mich 252, 258 NW2d, 20 reh den 402 Mich 954, 960 (1977), cert den 436 US 958, 98 SCt 3072, 57 LEd 2d 1123.

This case is merely the Federal Court branch of a refiling in the Michigan Courts of the former litigation, with the addition of a few more parties.

By Mrs. Cramer's continual admission as contained in her petition and appendix, this matter arises out of the same transaction to wit: the foreclosure of a mortgage on her house in 1968. Twelve years of litigation is enough.

Certiorari should be denied.

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Attorney for Respondents

McClintock Donovan Carson & Roach, James I. McClintock, Michael Doelle, and William P. Thorpe, Metropolitan Savings and Loan Association, a/k/a Metropolitan Savings Association, James I. McClintock, Roger C. Richards and John C. Denyer, jointly, and severally and individually.